

THE
STATUTES
OF
THE REALM.

PRINTED BY COMMAND
OF HIS MAJESTY
KING GEORGE THE THIRD.

IN PURSUANCE OF AN ADDRESS OF
THE HOUSE OF COMMONS
OF GREAT BRITAIN.

From Original Records and Authentic Manuscripts.

VOLUME THE FIRST.

MDCCCX

REPRINTED 1963

DAWSONS OF PALL MALL

LONDON

EXHIBIT 31 (McLean)

A.D.1326-7.

1° EDW. III. Stat. 2. c. 15—17.

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escritz de venir au Roi a force & armes, en chescun temps qils furent maundez, sur peine de vie & de membre, & de q'nt qil p'roient forfaire; p force des queux escritz plusours de la ire ount este disement destrutz; Le Roi eyaunt regard q tieux escritz furent faitz a deshonor du Roi, desicome chescun feust tenu de faire au Roi come a seign' lige ceo q a luy appendoit sanz escrit, Voet q tieuz escritz desormes ne soient faitz; et q ceux q sont faitz, p la veue de Chancellor & Tresorer, soient monstrez au Roi; & le Roi fra dampner ceux q sont faitz contre droit & reson.

Item pur la pees meultz garder & meyntener, le Roi veot qen chescun Countee q bones gentz & loialx, queux ne sont mye meyntenours de malveis baretz en pays, soient assignez a la garde de la pees.

Item le Roi comaunde q les viscontes & Baillifs des franchises, & toutz autrs q pnent enditementz a lor tourns, ou aillours ou enditementz s'ount faitz, preignent tieux enditementz p roule endente dount lune pte demeorge vs les enditours, & lautre pte dev's cely qi prendra Lenqueste, issint q les enditementz ne soient beseleez come avant ces heures ount este, & issint q un de lenqueste peut monstrez lune pte de l'enditure a la Justice q'nt il vendra p' la deliv'ance faire.

Memorand qd ista duo statuta pcedencia missa fuerunt in Hibn in forma patenti, cum quodam bri inferi^o seqn.

themselves by Writing, to come to the King with Force and Arms, whensoever they should be sent for, upon Pain of Life and Limb, and to forfeit all that ever they might forfeit; by virtue of which Writings divers of this Land have been often destroyed: The King, considering that such Writings were made to the King's dishonour, sithence that every Man is bound to do to the King, as to his Liege Lord, all that pertaineth to him without any manner of Writing, Willeth, that from henceforth no such Writing be made; and that such as be made, by the sight of the Chancellor and Treasurer, shall be shewed to the King; and the King shall cause all such as be made against Right and Reason to be cancelled.

ITEM, For the better keeping and maintenance of the Peace, the King will, that in every County good Men and lawful, which be [no Maintainers of Evil, or Barretors¹] in the Country, shall be assigned to keep the Peace.

ITEM, The King commandeth, That the Sheriffs and Bailiffs of Franchises, and all other that do take Indictments in their Turns, or elsewhere, where Indictments ought to be made, shall take such Indictment by Roll indented, whereof the one Part shall remain with the Indictors, and the other Part with him that taketh the Inquest; so that the Indictments shall not be imbezilled as they have been in times past; and so that one of the Inquest may shew the one part of the Indenture to the Justices, when they come to make Deliverance.

¹ No Maintainers of cursed Barretors *MS. Tr. 2.*

Be it Remembered, that the two preceding Statutes were sent into Ireland in form of Letters Patent, with a certain Writ hereunder following.²

² See Memorandum at the End of Stat. 5 Edw. III.

None shall be bound by Writing to come with Arms to the King.

XVI.
Keepers of the Peace in each County.

XVII.
Indictments shall be taken by Indenture.

Anno 2° EDWARDI, III. A.D.1328.

Statutu editu apud North't', anno r. R. E. t'cii post conquestu sc'do.

STATUTE made at NORTHAMPTON;

In the SECOND Year of the Reign of K. EDWARD the THIRD after the Conquest.

Ex magno Rot. Stat. in Turr. Lond. m. 28.

N're seign' le Roi Edward, le tierz ap's le conqueste, a son plement tenuz a North as trois semeins de Pasch, Lan de son regne secund, desiraunt q la pees de sa ire, & les leis & estatuz avant ces heures ordenez & usez, soient gardez & meintenuz en touz poyntz, Al hon' de dieu & de seinte eglise, & a cõe pfit du poeple, p assent des Prelatz, Countes & Barons & autres g'ntz, & tote la cõe du roialme, au dit plement somons, ordena & establil en meisme le plement les choses southescrites en la forme q sensuit.

En primes q la g'nte Chartre & la Chartre de la foreste soient tenuz en touz pointz.

Ensement p' ceo q meffesours ont este esbauditz de ce q chartres de pdoun ont este si leg'ment g'ntes avant ces heures, des homicides, robies, felonies & autres trespasss coudre la pees; acorde est & establi q tiels chartres ne soient mes g'ntes fors qen cas ou le Roi le poet faire p son yment, cest assavoir en cas ou home tue autre soi defendant, ou p infortune: Et auxint ont este esbauditz de ceo q Justiceries as deliv'ances des gaoles, & a oier & t'miner, ont estez g'ntes as gentz pcurez coudre forme de lestatut fait en temps le Roi Edward, ael

OUR Lord King Edward, the Third after the Conquest, at his Parliament holden at Northampton, at the three weeks of Easter, in the second year of his Reign, desiring that the Peace of his Land, and his Laws and Statutes, ordained and used before this Time, may be kept and maintained in all Points; to the Honour of God and of Holy Church, and to the common Profit of the People, by Assent of the Prelates, Earls, Barons, and other great Men, and all the Commonalty summoned to the same Parliament, hath ordained and established in the said Parliament these Things underwritten, in Form following.

FIRST, That the Great Charter, and the Charter of the Forest, be observed in all Points.

ITEM, Whereas Offenders have been greatly encouraged, because [the¹] Charters of Pardon have been so easily granted in times past, of Manslaughters, Robberies, Felonies, and other Trespasses against the Peace; It is ordained and enacted, That such Charter shall not be granted, but only where the King may do it by his Oath, that is to say, where a Man slayeth another in his own defence, or by Misfortune: And also they have been encouraged, because that [the Justices of Gaol-delivery, and of Oyer and Terminer, have been procured by great Men²] against the Form of the Statute made in the xxvij year of the reign of King Edward,

¹ that

² Commissions of Gaol Delivery and of Oier and Terminer have been granted to Persons procured

I.
The Charters.

II.
Pardons for Felony.

27 Ed. I. c. 3. Grandfather to our Lord the King that now is, wherein is contained, that Justices assigned to take Assises, if they be Laymen, shall make Deliverance; and if the one be a Clerk, and the other a Layman, that the Lay Judge, with another of the Country associate to him, shall deliver the Gaols: Wherefore it is enacted, That such [Justices'] shall not be made against the Form of the said Statute; and that the Assises, Attaints, and Certifications be taken before the Justices commonly assigned, which should be good Men and lawful, having Knowledge of the Law, and none other, after the Form of another Statute made in the Time of the said [King Edward the First;] and that the Oyers and Terminers shall not be granted but before Justices of the one Bench or the other, or the Justices Errants, and that for great [hurt,] or horrible Trespasses, and of the King's special Grace, after the Form of the Statute thereof ordained in Time of the said Grandfather, and none otherwise.

Justices of Assise and Gaol-delivery.

Oyers and Terminers.

III. Riding or going armed in Affray of the Peace.

ITEM, It is enacted, That no Man great nor small, of what Condition soever he be, except the King's Servants in his presence, and his Ministers in executing of the King's Precepts, or of their Office, and such as be in their Company assisting them, and also [upon a Cry made for Arms to keep the Peace, and the same in such places where such Acts happen,] be so hardy to come before the King's Justices, or other of the King's Ministers doing their office, with force and arms, nor bring no force in affray of the peace, nor to go nor ride armed by night nor by day, in Fairs, Markets, nor in the presence of the Justices or other Ministers, nor in no part elsewhere, upon pain to forfeit their Armour to the King, and their Bodies to Prison at the King's pleasure. And that the King's Justices in their presence, Sheriffs, and other Ministers (*) in their Bailiwicks, Lords of Franchises, and their Bailiffs in the same, and Mayors and Bailiffs of Cities and Boroughs, within the same Cities and Boroughs, and Borough-Holders, Constables, and Wardens of the Peace within their Wards, shall have Power to execute this Act. And that the Justices assigned, at their coming down into the Country, shall have Power to enquire how such Officers and Lords have exercised their Offices in this Case, and to punish them whom they find that have not done that which pertained to their Office.

IV. The Statute of Lincoln, 9 Edw. II. concerning Sheriffs, &c. confirmed.

ITEM, Because the Peace cannot be well kept without good Ministers, as Sheriffs, Bailiffs, and Hundreders, which ought to do Execution as well of the King's Privities as of other Things touching our Lord the King and his People; It is ordained and established, That the Statute made in the time of King Edward, Father to the King that now is, at Lincoln, containing that Sheriffs, Hundreders, and Bailiffs shall be of such People as have Lands in the same Shires or Bailiwicks, shall be observed in all Points after the Form thereof; and that Sheriffs and Bailiffs of Fee shall cause their Counties and Bailiwicks to be kept by such as have Lands therein.

V. The Statute Westminster the Second, 13 Edw. I. chapter 39, concerning the Delivery of Writs to the Sheriff, confirmed.

ITEM, Where it was ordained by the Statute of Westminster the Second, that they which will deliver their Writs to the Sheriff, shall deliver them in the full County, or in the Rere County, and that the Sheriff or under Sheriff shall thereupon make a Bill; It is accorded and established, that at what Time or Place in the County a Man doth deliver any Writ to the Sheriff or to the Under-Sheriff, that they shall receive the same Writs, and make a Bill, after the form contained in the same Statute, without taking any Thing therefore; and if they refuse to make a Bill, others that be present shall set to their Seals; and if the Sheriff or Under-Sheriff do not return the said Writs, they shall be punished after the form contained in the same Statute; and also the Justices of Assises shall have power to enquire thereof at every Man's Complaint, and to award Damages, as having respect to the Delay, and to the loss and peril that might happen

* Commissions

* Grandfather

† upon a Proclamation of Deeds of Arms in time of Peace, and that in Places where such Deeds are to be done.—See Lib. Rub. Scac. Westm. fo. 122 b. a Writ reciting a Grant of K. Richard I. "qd Torneamita sint in Angl in v. placias: Inl Sarf & Wilton: Inl Warrewich & Kenelingworth: Inl Stanford & Warneford: Inl Brakele & Mixebf: Inl Blie & Tykehill. Ita qd pax fre nre nō infringat, nō potestas Justiciaria minorabit' Nec de testis nris dāpnū inferret."

* of the King

nre Seign' le Roi qore est, en quele est contenuz q les Justices as assises pndre assignez sils soient lais, facent les delivances; et si lun soit clerc, & lautre lais, q le dit lais, associe a lui un autre du pais, facent la delivance des gaols; p qoi acorde est & establi, q tiels Justiceries ne soient mes gntees coudre la forme du dit estatut, & q les assises, atteintes, & certifications soient p'ses devant les Justices cōmunement assignez, q soient bones gentz & loialx & conissantz de la lei, & nemie autres; solonc la forme dun autre statut fait en temps meisme le ael; et q les oiers & iminers ne soient grantees forsq, --- devant les Justices de lun Baunk & de lautre, ou les Justices errantz; & ce p' led & orrible trespass, & de lespecialie g'ce le Roi, solonc forme de statut de ce ordene en temps meisme le ael; & nemie autrement.

Ensement acorde est & establi, q nul, gnt ne petit de quele condicion qil soit, sauve les sjantz le Roi en la psence le Roi, & les Ministres le Roi, enfesantz execucion des mandementz le Roi, ou de leur office, & ceux qi sont en leur compaignies, eidantz as ditz ministres, & auxint au cri de fait darmes de pees, & ce en lieux ou tielx faitz se ferront, soit si hardi de venir devant les Justices le Roi, ou autres Ministres le Roi enfesant leur office, a force & armes; ne force mesner en affrai de la pees, ne de chivau-cher ne daler arme, ne de nuit ne de jour, en faires, marcheas, nen psence des Justices, ne dautres Ministres, ne nule part aillours, sur peine de pdre leur armures au Roi & de leur corps a la prisone a la volente le Roi. Et q Justices le Roi en leur psences, viscountes & autres Ministres le Roi en leur baillies, seign's des fraunchises & leur baillifs en yceles, & Meire & Baillifs des Citees & Burghs deinz meismes les Citees & Burghs, Burghaldres, conestables, & gardeins de la pees deinz leur gardes, eient poair affaire execucion de cest acord. Et q les Justices assignez, a leur venu en pais, eient poair denquere coment tielx Ministres & seign's ont use leur office en ce, & de punir ceux qils trovont, qi nount mie fait ce q a leur office appent.

Et p'ce q la pees ne poet mie estre bien garde sauntz bons ministres, come Viscountes, Baillifs, & Hundreders qi doivent faire execucion, auxibien des p'vetez le Roi come dautres choses tochantes le Roi & son poeple, acorde est & establi q lestatut fait en temps le Roi Edward, piere le Roi qore est, a Nicole, contenant q Viscountes, Hundreders & Baillifs soient des gentz eantz tres en meismes les Countez, ou baillies, soit garde en touz pointz solonc la forme dycel, & auxint q les Viscountes & Baillifs de fee, facent garder meismes leur Countez & Baillies p gentz eantz tres en yceles.

Ensement la ou ordene est, p statut de Westmonst' le secund, q ceux q li'v'er volent leur briefs as viscountes, les li'v'ent en plein Counte, ou en rerecounte, & q visconte ou southvisconte facent sur ce bille; acorde est & establi q a quele heure ou a queu lieu deinz le Counte home livre a viscountes, ou a southviscontes, briefs, qils les resceivent & facent bille en la forme contenue en le dit estatut, & ce sanz rien pndre; et sils refusent de faire bille, mettent autres leur seilx qi sront psentz; et si le Viscounte ou le Southviscounte ne retourne mie les briefs, soient puniz solonc la forme contenue en le dit estatut; & jadumeins eient les Justices as assises pndre assignez poair denquer de ce a chescuny plainte & de agarder damages, eant regard au delai, & a les ptes & pils qi p'ront avenir.

Et q'nt a la garde de la pees en temps avenir, acorde est & establi q' les estatuz faites en temps passez, ovesq' lestatut de Wyncestre, soient tenuz & gardez en touz pointz; ajouste au dit estatut de Wyncestre, la ou contenuz est en la fin, q' Justices assignez eient poair denquere des defautes & des reporter au Roi en plement, dont home nad pas veu issue, q' les ditz Justices assignez eient poair de punir les desobeissantz & contrevenantz.

Et q'nt au punissement de felonies, robies, homicides, trespas & opp'essions du poeple, faitz en temps passe; acorde est q' n're Seign' le Roi assigne Justices en divers lieux de sa t're, ove le Baunk le Roi p aillours, come estoit faite en temps de son dit ael, des g'ntz de la t're q' sont de g'nt poair, ovesq's ascuns des Justices de lun Baunk ou de lautre, ou autres sages de la lei, denquere, auxibien a seute de ptie, come a la seute le Roi, et doier & yminer totes man'es des felonies, robies, homicides, larcins, opp'essions, conspiracies, & grevances faitz au poeple, countre la lei, Les estatuz & la custume de la t're, auxibien p ministres le Roi come p autres, q' qils soient, & ce auxibien dedeinz franchises come dehors. Et auxint denquere des Viscontes, Coroners, Southeschetours, Hundreders, Bailiffs, Conestables, & touz autres Ministres deinz franchise & dehors, & leur southministres, & doier & yminer a la seute le Roi & de ptie. Et n're Seign' le Roi & touz les g'ntz du Roialme en plein plement ont empriz de maintenir la pees, garder & sauver les Justices le Roi, p la ou ils veignent, & deider p eux & les leurs, q' les juggementz & les execucions ne soient pas arestuz, mes executz, & q' le meffesours ne sront p eux cov'tz ne meintenuz en p've nen apt: Mes nest pas lentencion du Roi ne de son conseil q' p ceste acord p'judice aveigne a les g'ntz de la t're, eantz franchises, ne a la Citee de Loundres, ne as autres Citees ne Burghs, ne a les Cynkportz en droit de leur franchises.

Ensement acorde est & establi q' mande ne soit, p le g'nt seal ne p le petit seal, a destourber ou delayer c'oe droit; & mesq' tielz mandementz veignent q' p tant les Justices ne s'sessent pas de faire droit en nul point.

Ensement est acorde & establi q' les estaples p decea & p delaa, ordeinez p les Rois en temps passe, & les peines sur ce ordeinees, cessent; & q' touz marchantz aliens & p'veez peussent aler & venir od leur marchandises en Engleterre, solonc la tenour de la g'nte Chartre; & q' s' ceo briefs soient mandez a touz les viscontes Dengleterre & as Meires & baillifs des bones villes ou mestier s'ra.

Ensement come le Roi Edward, piere le Roi q'ore est, pdona a son poeple amciementz & issues forfaitz, jesq's al vintisme an du regne son piere ael le Roi quore est, le Roi p' ees de son poeple ad pdone touz les fins q' ont este faitz en Chauncellerie p' briefs avoir, tanq' al vintisme an avantdit.

Et p' ce q' p remuement du c'oe Bank les pleez bien sovent ont demore saunz jour, a g'ntz damage, & en pil de desheritance des pluseurs; acorde est & establi q' desore en avant les Justices, avant ce q' le Bank se remuera, soient garniz p temps, issint queux peussent ajorner les pties si p temps q'eles ne pdent mie leur pces.

Et come touz les Countez Dengleterre furent aunciement assis a c'teine ferme, & adonq's furent touz les Hundredz & les Wapentakes, en les meins des viscontes, aporcionez a cele ferme, et puis furont approwours mandez en divers Contez, les queux encrustrent les fermes dascuns Hundredz & Wapentakes, et puis les Rois en divers temps ont g'ntez as divers gentz pties des Hundredz & Wapentakes, p' les auncienes fermes tantseulement, & jatardeis les viscontes sont chargez entierment del

ITEM, As to the keeping of the Peace in Time to come, It is ordained and enacted, that the Statutes made in Time past, with the Statute of Winchester, shall be observed and kept in every point; [and where it is contained in the End of the said Statute of Winchester,] that the Justices assigned shall have power to enquire of Defaults, and to report to the King in his Parliament, [and the King to remedy it,] which no Man hath yet seen ⁽¹⁾ the same Justices shall have Power to punish the Disobeyers and Resisters.

ITEM, As to the Punishment of Felonies, Robberies, Manslaughters, Trespasses, and Oppressions of the People committed in times past: It is accorded that our Sovereign Lord the King, shall assign Justices in divers places of this Land, [within the King's Bench, and elsewhere,] as it was done in the Time of his said Grandfather, of great Men of the Land, which be of great Power, with some of the Justices of the one Bench, or of the other, [with ⁽²⁾] other learned Men in the Law, to enquire as well at the Suit of the Party, as at the King's Suit, and to hear and determine all manner of Felonies, Robberies, Manslaughters, Theft, Oppressions, Conspiracies, and Grievances done to the People against the Law, Statutes, and Customs of the Land, as well by the King's Ministers, as by other whatsoever they be, and that as well within Franchises as without. And also to enquire of Sheriffs, Coroners, [Under Sheriffs,] Hundreders, Bailiffs, Constables, and all other Ministers within Liberties and without, and of their under-ministers; and to hear and determine at the King's Suit, and also the Party's. And our Sovereign Lord the King, and all the great Men of the Realm in the full Parliament, have taken upon them [to maintain and keep the peace; and they and theirs to save the King's Justices, and aid them where they come, so that the judgement ⁽³⁾] and executions be not let, but executed; and the Offenders be not hid by them, nor maintained privily nor apertly: but the intent of the King and his Council is not, that by this Act any prejudice should ensue to the great Men of the Land having Liberties, nor to the City of London, nor to other Cities nor Burghs, nor to the Five Ports in the right of their Franchise.

ITEM, It is accorded and established, That it shall not be commanded by the great Seal nor the little Seal to disturb or delay common Right; and though such Commandments do come, the Justices shall not therefore leave to do right in any point.

ITEM, It is enacted, That the Staples beyond the Sea and on this Side, ordained by Kings in Times past, and the Pains thereupon provided, shall cease; and that all Merchant Strangers and privy, may go and come with their Merchandises into England, after the Tenor of the Great Charter; and that Writs thereupon shall be sent to all Sheriffs of England, and to Mayors and Bailiffs of good Towns, where need shall require.

ITEM, Whereas King Edward, Father to the King that now is, did pardon his People of Issues and Amerciements, that were forfeit till the twenty year of the Reign of his Father, Grandfather to the King that now is: The King for ease of his People, hath pardoned all the Fines that have been made in the Chancery, for to have Writs till the xx. year aforesaid.

ITEM, Whereas by removing of the Common Bench, the Pleas have oftentimes abiden without Day, to the great hurt, and peril of Disherison of divers; It is enacted, That from henceforth the Justices before that the Common Bench be removed, shall be warned by a Time, so that they may adjourn the Parties by such Time that they shall not lose their Process.

ITEM, Whereas all the Counties in England were in old Time assessed to a certain Ferm, and then were all the Hundreds and Wapentakes in the Sheriffs Hands rated to this Ferm; and after were Approvers sent into divers Counties, which did increase the Fermes of some Hundreds and Wapentakes; and after, the Kings at divers Times have granted to many Men part of the same Hundreds and Wapentakes for the old Fermes only; and now late the Sheriffs be wholly charged of the

⁽¹⁾ add to the said Statute of Winchester, where it is contained at the end thereof

⁽²⁾ Not in the Original.

⁽³⁾ with the King's Bench besides, ⁽⁴⁾ the effect of, that ⁽⁵⁾ or ⁽⁶⁾ Sub-Executors to maintain the peace, to keep and save the King's Justices wherever they come, and to aid by themselves, and theirs, that the Judgements

VI.
The Statute of Wynton, 13 Edw. I. confirmed, &c.

VII.
Justices assigned to enquire of Felonies, Robberies, &c.

VIII.
Commands shall not be in delay of Justice.

IX.
All Staples shall cease.

X.
Pardon of Fines for Writs in Chancery.

XI.
The Common Bench not to be removed without Warning.

XII.
Hundreds and Wapentakes shall be annexed to Counties, and not let to Ferm.

Increase, which amounteth to a great Sum, to the great hurt of the People, and Disherison of the Sheriffs and their Heirs: It is ordained, That the Hundreds and Wapentakes let to Ferm by the King that now is, be it for Term of Life or otherwise, which were sometimes annexed to the Farms of the Counties where the Sheriffs be charged, shall be joined again to the Counties; and that the Sheriffs and their Heirs have Allowance for the Time that is past; and that from henceforth such Hundreds and Wapentakes shall not be given nor severed from the Counties.

XIII.
Trespas
in the late
King's Time.

ITEM, It is accorded and enacted, that like process shall be made of Trespas done in the Time of King Edward, father to the King that now is, as of Trespas done in the Time of the King that now is.

XIV.
Measure
and Assise
of Cloths
imported.

ITEM, It is enacted by our Sovereign Lord the King, and his Council, that from the Feast of Saint Michael, next coming forward, all Cloths in such Places where they shall be put to Land, shall be measured by the King's Aulnegeours in the presence of the Mayor and Bailiffs, where there is a Mayor, and where no Mayor is, in presence of the Bailiffs of the same Places; that is to say, the Length of every Cloth of Ray, by a Line of seven Yards, four times measured by the List, and the Breadth of every Ray Cloth six Quarters of measure by the Yard; and of coloured Cloths the Length shall be measured by the Back, by a Line of six Yards and a half, four times measured, and the breadth six Quarters and an half measured by the yard without [defoiling¹] the Cloths; and that the Mayor and Bailiffs where a Mayor is, or the Bailiffs where no Mayor is, of the Towns or Places where such Cloths shall come, shall be ready to make Proof what time they shall be required by the Meter, without taking any thing of the Merchants; and Cloths which be of the said Assise, shall be marked by the Mayor and Bailiffs, where a Mayor is, or by the Bailiffs where there is no Mayor, as well as by the Aulnegeour; and that all the Cloths which shall be found defective of the same Assise, shall be forfeit to the King, and prised at their true Value in the presence of the said Mayor and Bailiffs; and to remain with the Aulnegeours by Indenture between them, to answer to the King of the said Cloths so forfeit; and that the Mayor and Bailiffs shall deliver the Indentures made of such Cloths forfeit, every year into the Exchequer, the morrow after the Feast of Saint Michael, for to charge the said Aulnegeour; and at the same time shall the Aulnegeour be put to answer at the Exchequer of the said Forfeitures. It is in the King's mind and his Counsels, that this act shall extend to such Cloths as shall come into the Land after the Feast of Saint Michael; and this act shall be published and proclaimed throughout the Realm, so that no Merchant, Privy nor Stranger, shall be surprised by this Statute.

XV.
Keeping of
Fairs, for
the Time
limited by
Charter, &c.

ITEM, It is established, That it shall be commanded to all the Sheriffs of England, and elsewhere where need shall require, to cry and publish within Liberties and without, that all the Lords which have Fairs, be it for yielding certain Ferm for the same to the King, or otherwise, shall hold the same for the Time that they ought to hold it, and no longer; that is to say, such as have them by the King's Charter granted them, for the Time limited by the said Charters; and also they that have them without Charter, for the Time that they ought to hold them of right. And that every Lord at the beginning of his Fair shall there do cry and publish how long the Fair shall endure; to the Intent that Merchants shall not be at the same Fairs over the Time so published, upon pain to be grievously punished towards the King; nor the said Lords shall not hold them over the due Time, upon pain to seize the Fairs into the King's hands, there to remain till they have made a Fine to the King for the Offence, after it be duly found, that the Lords held the same Fairs longer than they ought, or that the Merchants have sitten above the Time so cried and published.

XVI.
See Stat.
12 Edw. II.
4.

ITEM, Whereas in a Statute made at York, in the Time of the Father of our Lord the King that now is, it is contained that Inquests and Juries, which be and shall be hereafter taken, requiring no great Examination,

¹ defoiling MS. 7r. 2.—some old Printed Copies read "marring."

encrees q̄ amount a ḡnte sūme, a ḡnt damage du poeple & desheritance de viscountes & de lour heirs; acorde est & establi q̄ des Hundredz & Wapentakes baillez a ferme p̄ le Roi qore est, soit il a t̄me de vie ou autrement, q̄ auncienement furent annex as fermes des Countez ou les viscontes sont chargez, soient rejointz as Countez, et q̄ de temps passe eient les viscountes ou lour heirs allowance; & q̄ desore en avant teux Wapentakes, ne Hundredz ne soient donez ne sevez des Countez.

Ensement est acorde & establi q̄ a tieu p̄ces soit fait des trespas fait en temps le Roi Edward, pere le Roi qore est, come de de trespas fait en temps le Roi qore est.

Ensement est acorde & establi p̄ n̄re Seign' le Roi & son conseil, q̄ de la seint Michel p̄schein avenir en avant, touz les draps es lieux ou ils s̄ront mis a t̄re, soient aunez p̄ le auneour le Roi, en p̄sence des Meire & Bailiffs ou Meire y est, ou des bailiffs ou meire nyest, de meisme les lieux; cest assavoir la longure de chescun draḡ de Raye p̄ une corde de sept aunes quatrefoitz mesure p̄ le list, & la laoure de chescun draḡ de Reye sis q̄rters de lee, mesure p̄ laune; et de draḡs de colour la longure soit mesure p̄ le dos p̄ un corde de sis aunes & demi q̄tre. foitz mesure; & la laoure sis quart's & demi mesure p̄ laune sanz defoler les draḡs; et q̄ Meire & Bailiffs ou Meire y est, ou Bailiffs ou Meire nest pas, des villes ou lieux ou les draps vendront, soient p̄stz a lassai faire, quele heure qils soient requis p̄ launeour, saunz rien p̄ndre des marchauntz; et q̄ touz les draḡs q̄ s̄ront trovez de la dite assise, soient m̄chez auxibien p̄ Meire & Bailiffs ou Meire y est, ou p̄ bailiffs ou Meire nest pas, come p̄ launeour, et les draps q̄ ne s̄ront pas trovez de lassise avantdite, soient forfaitz au Roi, & p̄sez a la v̄reie value, en p̄sence des ditz Meire & Bailiffs, & demoergent de v̄s launeour p̄ endenture entre eux faite, a respondre des ditz draps issint forfaitz au Roi; et q̄ les ditz Meire & Bailiffs, les endentures issint faites de tieux draps forfaitz, facent l̄ver chescun an a Lescheḡr a lendemeyn de Seint Michel, p̄ charger le dit auneour; & a meisme le temps soit le dit auneour a Lescheḡr a respondre des dites forfaitures. Et est lentencion de n̄re dit Seign' le Roi & de son conseil q̄ cest acord se tiegne des draps q̄ vendront en la t̄re ap̄s la dite feste de Seint Michel; & q̄ cest acord soit publie & crie p̄ tout le Roialme, Issint q̄ les Marchauntz ne p̄vez nestraunges soient supp's p̄ meisme lacord.

Ensement est acorde & establi q̄ maunde soit a touz les viscountes Denglet̄re, & p̄ aillours ou mestier s̄ra, a crier & publier, deinz f̄'unchises & dehors, q̄ touz les Seign's q̄ feires enount, soit il p̄ t̄eine ferme ent rendant au Roi, ou autrement, les tieignent p̄ le temps qils dev̄ont, & nemie outre; cest asavoir ceux q̄ les ount p̄ ch̄res des Rois p̄ les temps a eux ḡuntez p̄ les dites ch̄res; et ceux q̄ les ount sanz ch̄re p̄ temps queux ils les doivent tenir de droit. Et q̄ chescun Seign' au comencement de sa feire face crier & publier en ycele come longement sa feire se tendra, Issint q̄ les Marchantz ne secessent es dites feires outre le temps issint publiez, sur peine destre grevement puniz de v̄s le Roi; ne q̄ les ditz Seign's outre les droitz temps les tieignent, sur peine ap̄ndre les feires en la meyn le Roi, a demorer tanqils eient fait fin au Roi p̄ le trespas, ap̄s ceo q̄ trove s̄ra duement qe les Seign's les ount tenuz plus longement qils dev̄ont, ou q̄ les marchauntz ount sis outre le temps issint publiez & criez.

Et come en un estatut fait a Eḡwyk, en temps le pere n̄re Seign' le Roi qore est, soit contenuz q̄ les enquestes & jurees qe sont & s̄ront ap̄ndre, q̄ ne sont mie de ḡnt examenement, soient p̄ses devant

A.D.1328.

2° EDW. III. Stat. Northampt. c.16, 17.

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un Justice de la place ou la plee est, associe a lui un pdhōme du pais, Chivaler ou autre, issint q̄ ſtein jour soit done en Bank, & ſtein jour & lieu en pais en p̄ſence de p̄ties, si le demandant le p̄e; & auxint les enquestes & jurees en plee de l̄re, qe demandent ḡnt examenement, soient p̄ſes en pais en la forme susdite devant deux Justices du Bank: acorde est & establi q̄ totes tiels enquestes, q̄ sont ou en temps avenir a p̄ndre ſront, en plee de l̄re, soient p̄ſes auxibien a la p̄ere le tenant come le demandant; tout lautre p̄ces acorde en dit estatut, en tieu cas sauve & garde.

Auxint est acorde & establi q̄ brief de deceit soit meintenu & lieu tiegne, auxibien en cas de garnissement q̄ touche plee du l̄re, ou tieu garnissement est done, come en cas de somons en plee de l̄re.

R̄ Viç Norht, saltm. Quoddam statutū p̄ nos & conciliū n̄rm in pleno pliamento n̄ro apud Norhampton convocato, ad emendacōem stat⁹ populi regni n̄ri, editū, sigillo n̄ro consignatū tibi mittim⁹; mandantes qd̄ statutū illud, & om̄es articulos in eo contentos, in pleno Com̄ tuo & in Civitatibz, Burgis, villis m̄icatoriis, & aliis locis in balliva tua ubi expedire videris, tam infra lib̄tates q̄m ext⁹, legi & publice p̄clamari & observari fač. T. R. apud Norht xxii die Junii.

Eodem modo mand̄ est singulis vicecomitibz p̄ Angl.

Memorand̄ qd̄ istud statutum missum fuit in Hiñ in forma patentis cum quodam b̄ri inferius seq̄n.

shall be taken before one Justice of the Place where the Plea is, adjoining to him one discreet Man of the Country, Knight, or other, so that a certain Day be given in the Bench, and a certain Day and Place in the Country, in the presence of the Parties, if the Demandant pray the same; and also the Inquests and Juries in Plea of Land, which require great Examination, shall be taken in the Country in the said Form before Two Justices of the Bench: It is accorded and enacted, That all such Inquests which are, or in Time to come shall be taken, in Plea of Land, shall be taken as well at the Request of the Tenant as the Demandant; all other Process according to the said Statute in such Case saved and kept.

ITEM, It is enacted, That a Writ of Deceit shall be maintainable, and hold Place, as well in the Case of Garnishment touching Plea of Land, where such Garnishment is given, as in case of Summons in Plea of Land. [Dated at Northampton.]

The King to the Sheriff of Northampton, Greeting. A certain Statute, by Us and our Council, in our full Parliament called at Northampton, for the Amendment of the State of the People of our Realm, set forth, We do send to you under our Seal; Commanding that the same Statute, and all the Articles therein contained, in your full County Court, and in the Cities, Boroughs, Market Towns, and other Places in your Bailiwick, where you shall see meet, as well within Liberties as without, you do cause to be read and to be publicly proclaimed and observed. Witness the King at Northampton the twenty-second day of June.

In the same manner it was commanded to the several Sheriffs throughout England.

Be it Remembered, that this Statute was sent into Ireland, in form of Letters Patent with a certain Writ hereunder following.¹

¹ See Memorandum at the end of Stat. 5 Edw. III.

Inquests in the Country shall be granted on Request of the Tenant.

XVII.
Writ of Deceit.

Anno 4° EDWARDI, III. A.D.1330.

Statutū editū apud Westm̄, anno regni R. E. t̄cii post conquest' quarto.

STATUTE made at WESTMINSTER;

In the FOURTH Year of the Reign of K. EDWARD the THIRD after the Conquest.

Ex magno Rot. Stat. in Turr. Lond. m. 27.

AU Parlement somons a Westmostier, le Lundy pscheyn ap̄s la feste de Seinte Kat̄ine, lan du regne n̄re Seign' le Roi Edward, tierz ap̄s le Conquest, quart, Si sont les choses soutzescrites, a la requeste de la Cōmunalte, assentuz & acordez p̄ n̄re Seign' le Roi, Prelatz, Countes, Barons, & autres ḡntz de mesme le plement, les queux choses n̄re Seign' le Roi voet qen touz les Counteez de Engleſtre soient mandez, a publier & fermement garder.

Adep'mes acorde est q̄ la Ḡnde Chartre & la Chartre de la Foreste, & les estatuz faitz en temps des p̄genitours n̄re Seign' le Roi, & auxint en son temps demeigne, soient gardez & meyntenuz en touz pointz.

Ensement est acorde q̄ bones gentz & sages, autres q̄ des places si hōme les puisse trover suffisantz, soient assignez en touz les Counteez Dengleſtre ap̄ndre les assises, jureez & ſtificacions, & a deliv̄er les gaoles; et q̄ les ditz Justices preignent les assises, jurees, & ſtificacions, & deliv̄ent les gaoles, au meyns troiz foitz p̄ an, & plus sovent si mestier ſra, & soient auxint assignez

AT the Parliament, summoned at Westminster, the Monday next after the Feast of Saint Katherine, in the Fourth Year of the Reign of King Edward, the Third after the Conquest, these Things underwritten, at the request of the Commons be established and enacted by our Lord the King, his Prelates, Earls, and Barons, and other (¹) of the same Parliament; which Things our Lord the King will (¹) to be published, and surely observed in all his Counties of England.

FIRST, It is accorded, That the Great Charter, and the Charter of the Forest, and all other Statutes, made as well in the time of the King's Progenitors, as in the King's time that now is be kept and maintained in all Points.

ITEM, It is ordained, that good and discreet Persons, other than of the Places, if they may be found sufficient, shall be assigned in all the Shires of England, to take Assises, Juries, and Certifications, and to deliver the Gaols; and that the said Justices shall take the Assises, Juries, and Certifications, and deliver the Gaols, at the least three times a Year, and more often, if need be; also there shall be assigned good and lawful Men

¹ great men

¹ that they be sent

I.
Charters and Statutes confirmed.

II.
Justices of Assise, Gaol-delivery, and Justices of the Peace.